

Mr. ABERCROMBIE. Mr. Speaker, further parliamentary inquiry then. Again, I hold the Speaker in the highest respect in this regard, but my information is that if it is a pro forma session, I receive a piece of paper which says that no business is to be conducted. If no business is to be conducted, I hardly think it is fair for the Chair to then state that I should be or any other Member should be expected to make objection, if that is our intent with respect to this particular issue. If I receive information that no business is to be conducted, I do not see how I could come to the floor then demanding that business be conducted.

The SPEAKER pro tempore. It has been customary in the past for these sorts of requests to be made and these unanimous consent requests are done even on days when there are pro forma sessions. It has been customary in the past that those requests generally are taken up when the schedule is announced, generally in a colloquy with the minority leader or his designee and the majority leader, which was done on Thursday. These are things that have happened in the past on pro forma days.

Mr. ABERCROMBIE. Mr. Speaker, further parliamentary inquiry. Then it is also in order under the rules to bring a privileged resolution to the floor. Now, if we were not in session, even if I take your word for it, and I will for purposes of our discussion, I would hope you would grant me my good intentions as well. If I could have or someone else could have come to this floor and made such a representation as you indicate, I will accept that.

However, the rules also allow us to bring a privileged resolution to the floor at any time with the proper notice and to have it considered. One of the reasons or the principal reason that the Chair stated for turning down this privileged resolution offered by the gentlewoman from Hawaii [Mrs. MINK] is that it was not presented on January 26. From what the Chair just told me, it does not matter that it was not presented on January 26. It could have been presented on January 26, but it was not imperative that it be presented on January 26. So if that is the only reason, why can it not be presented today?

The SPEAKER pro tempore. The Chair regrets that the request was made on January 26, custom has done that in the past. This has been done, as has been customary in the House for many years.

Mr. ABERCROMBIE. Mr. Speaker, because it is customary does not mean it is within the rules. I made a parliamentary inquiry based upon the rules. It may have been customary, it may have been desirable, but it is not against the rules to present the privileged resolution today. You have not offered a reason then. Simply because it was customary does not mean it is against the rules. There is nothing substantive that you have offered that

prevents this privileged resolution from being before us. I believe I am correct.

Mr. SOLOMON. Mr. Speaker, we are going to have to pursue regular order.

Mr. ABERCROMBIE. With all due respect, Mr. SOLOMON, I am doing my level best to maintain regular order.

The SPEAKER pro tempore. The gentleman will suspend. At this point, it is not in order to collaterally challenge the unanimous consent order that has been entered the previous week, even though it was done on a pro forma day. Again, that was because of custom.

Mr. ABERCROMBIE. Our only recourse is to appeal?

The SPEAKER pro tempore. That has been done. The appeal has been laid on the table.

Mr. ABERCROMBIE. I thank the Speaker very much for replying to me. I find this line of response very, very unfortunate in terms of what the House should be about in terms of its business.

Ms. SLAUGHTER. Mr. Speaker, I rise today to join with my colleagues who have already expressed their concern and distress about France's nuclear testing, and President Chirac's visit to the United States.

With the end of the cold war and the recent ratification of START II, we have high hopes and have made great steps forward in stopping the proliferation of nuclear weapons. And, just when we were making real progress toward a permanent moratorium on nuclear testing, France embarked on a series of nuclear tests in the South Pacific. These tests not only damage the strides we are making to stop nuclear testing, but they have once again endangered the health and safety of Pacific islanders.

As the threat of nuclear proliferation continues, it does not make sense for the leaders of the world to engage in such reckless activities. The free world must lead by example. The example set by France is deplorable, and the United States should not directly, or indirectly, condone such actions.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed on Tuesday, January 30, 1996, in the order in which the motion was entertained.

Votes will be taken in the following order:

House Resolution 349, de novo; and  
H.R. 2036, de novo.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

#### INTERSTATE TRANSPORTATION OF MUNICIPAL SOLID WASTE ACT OF 1995

The SPEAKER pro tempore. The unfinished business is on the question de novo of suspending the rules and agreeing to the resolution, House Resolution 349.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia [Mr. BILLEY], that the House suspend the rules and agree to the resolution, House Resolution 349.

The question was taken.

Mr. BOUCHER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 150, nays 271, not voting 12, as follows:

[Roll No. 20]

YEAS—150

Abercrombie	Gilman	Myrick
Ackerman	Goodling	Nethercutt
Andrews	Goss	Norwood
Baker (LA)	Gunderson	Oberstar
Baldacci	Gutknecht	Oxley
Ballenger	Hansen	Packard
Bevill	Hastings (FL)	Pallone
Bilbray	Hayes	Pastor
Bilirakis	Herger	Paxon
Bliley	Hobson	Payne (NJ)
Boehrlert	Hoekstra	Peterson (FL)
Bono	Houghton	Peterson (MN)
Brewster	Hunter	Quinn
Browder	Hyde	Ramstad
Bunn	Jacobs	Rangel
Calvert	Johnson (CT)	Reed
Canady	Johnston	Riggs
Cardin	Kelly	Rogers
Chambliss	Kennedy (RI)	Ros-Lehtinen
Clement	Kennelly	Roukema
Coble	Kim	Sabo
Collins (GA)	King	Sawyer
Cramer	Kleczka	Saxton
Cunningham	Klug	Schaefer
Davis	Lazio	Schumer
Deal	Lewis (KY)	Shaw
DeFazio	Lightfoot	Shays
DeLauro	Linder	Smith (MI)
Deutsch	Lipinski	Smith (NJ)
Diaz-Balart	Livingston	Solomon
Doolittle	LoBiondo	Stearns
Dunn	Longley	Tauzin
Edwards	Lowe	Taylor (NC)
Ehlers	Luther	Thomas
Engel	Manton	Thurman
Fields (TX)	Martini	Torricelli
Foley	McCarthy	Upton
Forbes	McCollum	Vento
Fowler	McCrery	Waldholtz
Fox	McDade	Walker
Franks (CT)	McHugh	Walsh
Franks (NJ)	McKeon	Weldon (FL)
Frelinghuysen	McNulty	Weldon (PA)
Frisa	Menendez	White
Furse	Metcalf	Whitfield
Galleghy	Mica	Wilson
Ganske	Miller (FL)	Wolf
Gejdenson	Minge	Wynn
Gilchrest	Molinari	Young (AK)
Gillmor	Moran	Zimmer

NAYS—271

Allard	Bereuter	Buyer
Archer	Berman	Callahan
Armey	Bishop	Camp
Bachus	Blute	Campbell
Baessler	Boehner	Castle
Baker (CA)	Bonilla	Chabot
Barcia	Bonior	Chenoweth
Barr	Borski	Christensen
Barrett (NE)	Boucher	Chrysler
Barrett (WI)	Brown (CA)	Clay
Bartlett	Brown (FL)	Clayton
Barton	Brown (OH)	Clinger
Bass	Brownback	Clyburn
Bateman	Bryant (TN)	Coburn
Becerra	Bunning	Coleman
Beilenson	Burr	Collins (IL)
Bentsen	Burton	Collins (MI)

Combest	Inglis	Pryce
Condit	Istook	Quillen
Conyers	Jackson (IL)	Radanovich
Cooley	Jackson-Lee	Rahall
Costello	(TX)	Regula
Cox	Jefferson	Richardson
Coyne	Johnson, E. B.	Rivers
Crane	Johnson, Sam	Roberts
Crapo	Jones	Roemer
Creameans	Kanjorski	Rohrabacher
Cubin	Kaptur	Roth
Danner	Kasich	Roybal-Allard
de la Garza	Kennedy (MA)	Royce
Dellums	Kildee	Rush
Dickey	Kingston	Salmon
Dicks	Klink	Sanders
Dingell	Knollenberg	Sanford
Dixon	Kolbe	Scarborough
Doggett	LaFalce	Schiff
Dooley	LaHood	Schroeder
Dornan	Lantos	Scott
Doyle	Largent	Seastrand
Dreier	Latham	Sensenbrenner
Duncan	LaTourette	Serrano
Durbin	Laughlin	Shadegg
Ehrlich	Leach	Shuster
Emerson	Levin	Sisisky
English	Lewis (CA)	Skaggs
Ensign	Lewis (GA)	Skeen
Eshoo	Lincoln	Skelton
Evans	Lofgren	Slaughter
Everett	Lucas	Smith (TX)
Ewing	Maloney	Smith (WA)
Farr	Manzullo	Souder
Fattah	Markey	Spence
Fawell	Martinez	Spratt
Fazio	Mascara	Stark
Fields (LA)	Matsui	Stenholm
Flanagan	McDermott	Stokes
Foglietta	McHale	Studds
Ford	McInnis	Stump
Frank (MA)	McIntosh	Stupak
Frost	McKinney	Talent
Funderburk	Meehan	Tanner
Gekas	Meek	Tate
Gephardt	Meyers	Taylor (MS)
Gibbons	Mfume	Tejeda
Gonzalez	Miller (CA)	Thompson
Goodlatte	Mink	Thornberry
Gordon	Moakley	Thornton
Graham	Mollohan	Tiahrt
Green	Montgomery	Torkildsen
Greenwood	Moorhead	Torres
Gutierrez	Murtha	Towns
Hall (OH)	Myers	Trafficant
Hall (TX)	Nadler	Velazquez
Hamilton	Neal	Visclosky
Hancock	Neumann	Volkmer
Harman	Ney	Vucanovich
Hastert	Nussle	Wamp
Hastings (WA)	Obey	Ward
Hayworth	Olver	Waters
Hefley	Ortiz	Watt (NC)
Hefner	Orton	Watts (OK)
Heineman	Parker	Waxman
Hilleary	Payne (VA)	Weller
Hilliard	Pelosi	Wicker
Hinchey	Petri	Williams
Hoke	Pickett	Wise
Holden	Pombo	Woolsey
Horn	Pomeroy	Yates
Hostettler	Porter	Young (FL)
Hoyer	Portman	Zeliff
Hutchinson	Poshard	

## NOT VOTING—12

Bryant (TX)	Flake	Owens
Chapman	Geren	Rose
DeLay	Johnson (SD)	Stockman
Filner	Morella	Wyden

□ 1806

Ms. PRYCE of Ohio, Mrs. VUCANOVICH, and Messrs. GEKAS, ROTH, DICKY, MOAKLEY, MCDERMOTT, PARKER, WATTS of Oklahoma, COMBEST, ISTOOK, DORNAN, CRANE, BATEMAN, and PAYNE of Virginia changed their vote from "yea" to "nay."

Mrs. LOWEY and Messrs. BEVILL, BAKER of Louisiana, HASTINGS of Florida, ENGLE, HOBSON, YOUNG of Alaska, and WALSH changed their vote from "nay" to "yea."

So (two-thirds not having voted in favor thereof) the motion was rejected. The result of the vote was announced as above recorded.

LAND DISPOSAL PROGRAM  
FLEXIBILITY

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The unfinished business is the question de novo of suspending the rules and passing the bill, H.R. 2036, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia [Mr. BLILEY] that the House suspend the rules and pass the bill, H.R. 2036, as amended.

The question was taken.

## RECORDED VOTE

Mr. MARKEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 402, noes 19, not voting 12, as follows:

[Roll No. 21]

## AYES—402

Abercrombie	Clayton	Ford
Ackerman	Clement	Fowler
Allard	Clinger	Fox
Archer	Clyburn	Frank (MA)
Armey	Coble	Franks (CT)
Bachus	Coburn	Franks (NJ)
Baessler	Coleman	Frelinghuysen
Baker (CA)	Collins (GA)	Frisa
Baker (LA)	Collins (IL)	Frost
Baldacci	Combest	Funderburk
Ballenger	Condit	Furse
Barcia	Cooley	Gallegly
Barr	Costello	Ganske
Barrett (NE)	Cox	Gekas
Barrett (WI)	Coyne	Gephardt
Bartlett	Cramer	Gibbons
Barton	Crane	Gilchrest
Bass	Crapo	Gillmor
Bateman	Creameans	Gilman
Becerra	Cubin	Gonzalez
Beilenson	Cunningham	Goodlatte
Bentsen	Danner	Goodling
Bereuter	Davis	Gordon
Berman	de la Garza	Goss
Bevill	Deal	Graham
Bilbray	DeLauro	Green
Bilirakis	Deutsch	Greenwood
Bishop	Diaz-Balart	Gunderson
Biley	Dickey	Gutierrez
Blute	Dicks	Gutknecht
Boehlert	Dingell	Hall (OH)
Boehner	Dixon	Hall (TX)
Bonilla	Doggett	Hamilton
Bonior	Dooley	Hancock
Bono	Doolittle	Hansen
Borski	Dornan	Harman
Boucher	Doyle	Hastert
Brewster	Dreier	Hastings (FL)
Browder	Duncan	Hastings (WA)
Brown (CA)	Dunn	Hayes
Brown (FL)	Durbin	Hayworth
Brown (OH)	Edwards	Hefley
Brownback	Ehlers	Hefner
Bryant (TN)	Ehrlich	Heineman
Bunn	Emerson	Henger
Burr	Engel	Hilleary
Burton	English	Hilliard
Buyer	Ensign	Hobson
Callahan	Eshoo	Hoekstra
Calvert	Everett	Hoke
Camp	Ewing	Holden
Campbell	Farr	Horn
Canady	Fattah	Hostettler
Cardin	Fawell	Houghton
Castle	Fazio	Hoyer
Chabot	Fields (LA)	Hunter
Chambliss	Fields (TX)	Hutchinson
Chenoweth	Flanagan	Hyde
Christensen	Foglietta	Inglis
Chrysler	Foley	Istook
Clay	Forbes	Jackson (IL)

Jackson-Lee	Mink	Shaw
(TX)	Moakley	Shays
Jefferson	Molinar	Shuster
Johnson (CT)	Mollohan	Sisisky
Johnson, E. B.	Montgomery	Skaggs
Johnson, Sam	Moorhead	Skeen
Jones	Moran	Skelton
Kanjorski	Murtha	Slaughter
Kaptur	Myers	Smith (MI)
Kasich	Myrick	Smith (NJ)
Kelly	Neal	Smith (TX)
Kennedy (MA)	Nethercutt	Smith (WA)
Kennedy (RI)	Neumann	Solomon
Kennelly	Ney	Souder
Kildee	Norwood	Spence
Kim	Nussle	Spratt
King	Oberstar	Stark
Kingston	Obey	Stearns
Klecza	Olver	Stenholm
Klink	Ortiz	Stokes
Klug	Orton	Studds
Knollenberg	Owens	Stump
Kolbe	Oxley	Stupak
LaFalce	Packard	Talent
LaHood	Parker	Tanner
Lantos	Pastor	Tate
Largent	Paxon	Tauzin
Latham	Payne (VA)	Taylor (MS)
LaTourette	Pelosi	Taylor (NC)
Laughlin	Peterson (FL)	Tejeda
Lazio	Peterson (MN)	Thomas
Leach	Petri	Thompson
Levin	Pickett	Thornberry
Lewis (CA)	Pombo	Thornton
Lewis (GA)	Pomeroy	Thurman
Lewis (KY)	Porter	Tiahrt
Lightfoot	Portman	Torkildsen
Lincoln	Poshard	Torres
Linder	Pryce	Torricelli
Lipinski	Quillen	Towns
Livingston	Quinn	Trafficant
LoBiondo	Radanovich	Upton
Lofgren	Rahall	Velazquez
Longley	Ramstad	Vento
Lowey	Rangel	Visclosky
Lucas	Reed	Volkmer
Luther	Regula	Vucanovich
Maloney	Richardson	Waldholtz
Manton	Riggs	Walker
Manzullo	Rivers	Walsh
Martinez	Roberts	Wamp
Martini	Roemer	Ward
Mascara	Rogers	Waters
Matsui	Rohrabacher	Watt (NC)
McCarthy	Ros-Lehtinen	Watts (OK)
McCollum	Roth	Waxman
McCrery	Roukema	Weldon (FL)
McDade	Roybal-Allard	Weldon (PA)
McDermott	Royce	Weller
McHale	Rush	White
McHugh	Sabo	Whitfield
McInnis	Salmon	Wicker
McIntosh	Sanford	Williams
McKeon	Sawyer	Wilson
McNulty	Saxton	Wise
Meehan	Scarborough	Wolf
Meek	Schaefer	Woolsey
Metcalfe	Schiff	Wynn
Meyers	Schumer	Young (AK)
Mfume	Scott	Young (FL)
Mica	Seastrand	Zeliff
Miller (CA)	Sensenbrenner	Zimmer
Miller (FL)	Serrano	
Minge	Shadegg	

## NOES—19

Andrews	Gejdenson	Pallone
Bunning	Hinchey	Payne (NJ)
Collins (MI)	Johnston	Sanders
Conyers	Markey	Schroeder
DeFazio	McKinney	Yates
Dellums	Menendez	
Evans	Nadler	

## NOT VOTING—12

Bryant (TX)	Flake	Morella
Chapman	Geren	Rose
DeLay	Jacobs	Stockman
Filner	Johnson (SD)	Wyden

□ 1817

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.